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Judicial Council Legislation/Local State Councils

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instructions on the law and all proper testimony admitted and improper rejected.

"The remedy for error of a trial court is not to place on an appellate court the burden of a trial de novo in a criminal case. A trial de novo in the appellate court deprives a defendant of his right to a jury trial. When the appellate court ceases to be a court of error and becomes one to determine whether or not, if the jury had been properly instructed in the law of the case and improper testimony ruled out and competent testimony admitted a verdict of guilty would nevertheless have been returned, it comes mighty close to a trial de novo in the appellate court. The remedy is (1) adequate salaries for trial judges; (2) nomination of candidates for the bench in judicial conventions; (3) sufficient judges to handle the work without undue haste."

JUDICIAL COUNCIL LEGISLATION

President McIntyre has announced the appointment of the following members of the Bar to confer with the Judges on the form of the bill to be presented to the Legislature for the establishment of a Judicial Council: C. L. Young, Bismarck, Chairman; A. W. Cupler, Fargo; W. F. Burnett, Fargo; W. H. Stutsman, Mandan; and Alfred Zuger, Bismarck.

Copies of all Judicial Council acts in force in other states are being distributed to the members of this committee and the Supreme and District Court Judges, and a joint meeting of the Committee and the Judges will be held at Bismarck on or about the 30th of November.

Chief Justice Christianson's plans for this meeting include the presence of Dr. Hickson, the Chicago expert to whom Judge Olson so frequently referred during his attendance at the annual meeting, which indicates quite clearly that whatever is done is going to be done with the view of covering the whole field of the administration of criminal justice.

LOCAL STATE COUNCILS

The Vice-President and members of the local council of the American Bar Association for the State of North Dakota have been announced as follows:

C. L. Young, vice-president and chairman, Bismarck;
John Knauf, Jamestown;
W. A. McIntyre, Grand Forks;
E. B. Goss, Minot;
L. R. Nostdal, Rugby.

WORKMEN'S COMPENSATION DECISIONS

A physician's testimony that disease might have resulted from the employment may be considered to corroborate other testimony, but is insufficient alone to warrant an award.—*Madore vs. New Departure Mfg. Co.*, 134 Atl. 259 (Conn. July, 1926).